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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

TECHNOLOGY CENTER R3700

**AMENDMENT TRANSMITTAL LETTER AND  
REQUEST FOR EXTENSION OF TIME  
PURSUANT TO 37 C.F.R. § 1.136(a)**Docket Number:  
2326/29Application Number  
09/589,499Filing Date  
June 7, 2001Examiner  
DawsonArt Unit  
3761Invention Title  
ARTIFICIAL AIRWAY DEVICE AND METHOD OF ITS  
USEInventor(s)  
MONGEON, DouglasAddress to:  
Commissioner for Patents  
Washington D.C. 20231I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Commissioner for Patents, Washington, D.C. 20231 on

Date: November 6, 2002

Reg. No. 42,674

Signature:  
Thomas C. Hughes

Transmitted herewith is an Amendment for entry in the above-identified application.

1. Applicant respectfully requests a three-month extension of time in which to respond to the Office Action dated May 6, 2002, for which a response period expiring on August 6, 2002 was set. The extended period expires on November 6, 2002. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) extension fee of **\$920.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
2. The Commissioner is also authorized to charge any additional fees and credit any overpayment to Deposit Account No. 11-0600.
3. A copy of this sheet is enclosed.

Dated: November 6, 2002

By:

Thomas C. Hughes (Reg. No. 42,674)

KENYON &amp; KENYON

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2326/29

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Inventors: **Douglas MONGEON**Serial No.: **09/589,499**Filed: **June 7, 2001**For: **ARTIFICIAL AIRWAY DEVICE AND  
METHOD OF ITS USE**Examiner: **Dawson****RECEIVED**

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Date

11/16/02

App's Reg. #

App's Signature

**KENYON & KENYON****AMENDMENT**

In response to the Office Action mailed May 6, 2002, Applicant respectfully requests reconsideration in view of the amendments and remarks below. Enclosed herewith is a Petition for a Three Month Extension of Time for extending the time of response for this Office Action to November 6, 2002. The appropriate extension fee is to be charged to Kenyon & Kenyon's U.S. Patent & Trademark Office Deposit Account No. 11-0600. Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made."

**In the Claims:**

Please amend claims 2, 19 and 20 without prejudice as follows:

2. ( Twice Amended) An artificial airway device comprising:
- an air conduit extending between a proximal opening and a mask opening wherein, when the device is in an operative position, the proximal opening remains outside of a patient and the mask opening is open to a laryngeal opening of the patient;
  - a seating tip extending distally from the distal end of the air conduit which, when the device is in the operative position, is located on a pharyngeal side of a patient's cricoid; and